

MAY 15 2008

**FAX TRANSMISSION****DATE:** May 15, 2008**PTO IDENTIFIER:** Application Number 10/540,494-Conf. #8374

Patent Number

**Inventor:** Chieko Kitada et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP

Gregory B. Butler, Ph.D., Esq.

**PHONE:** (617) 517-5595**Attorney Dkt. #:** 63628(46342)**PAGES (Including Cover Sheet):** 3**CONTENTS:** Certificate of Transmission (1 page)  
Response to Restriction Requirement and Species Election (1 page)

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PTO/SB/97 (09-04)

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Application No. 10/540,494

Attorney Docket No.: 63628(46342)

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Response to Restriction Requirement and Species Election (1 page)

MAY 15 2008

Docket No.: 63628(46342)  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Chieko Kitada et al.

Application No.: 10/540,494

Confirmation No.: 8374

Filed: May 30, 2006

Art Unit: N/A

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For: METASTIN DERIVATIVES AND USE  
THEREOF

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Examiner: Not Yet Assigned

**RESPONSE TO RESTRICTION REQUIREMENT AND SPECIES ELECTION**MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement and species election set forth in the Office Action mailed April 17, 2008, Applicant hereby elects Group 1 (Claims 1-15 and 38-41, drawn to metastin derivatives) and Compound 385, as well as, the election of "treat or prevent hormone-dependent cancer" for continued examination.

Dated: May 15, 2008

Respectfully submitted,

By Gregory B. Butler, PhD  
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